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MEDIA NOTIFICATION

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SIXTH CIRCUIT COURT UPHOLDS TENNESSEE'S EARLY VOTING LAW

The Sixth Circuit Court of Appeals in Cincinnati today upheld the validity of Tennessee's Early Voting Statute against a challenge by a group of voters in Chattanooga, Tennessee. The voters claimed the 1994 law permitting voters to cast their ballots five to 15 days before an election violated the Federal Election Day Statute, which requires elections for federal officials including President and members of Congress to be held on the first Tuesday after the first Monday in November of even-numbered years. The plaintiffs argued that the federal law requires the act of casting a ballot to be conducted on Federal Election Day and, therefore, Tennessee's law violates the federal statute because it permits voters to cast their ballots before that date.

In writing for the Court, Judge Alice Batchelder rejected this argument, noting the "Tennessee law interacts with federal law to form a harmonious system for the administration of federal elections, at least so far as their timing is concerned," and held that the early voting system in Tennessee does not conflict with Federal Law. Similar challenges have been raised in Texas and Oregon with those lawsuits also being dismissed by the federal courts.

To obtain a copy of the ruling, you may contact the Attorney General's Office at 615-741-5860.